

Service Date: April 29, 2016

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER OF the Investigation of) REGULATORY DIVISION
the Montana Public Service Commission)
into whether Mountain Water Company's) DOCKET NO. D2016.2.15
rates are Just and Reasonable)

NOTICE

1. On January 29, 2016, the Montana Public Service Commission (“Commission”) voted to initiate a proceeding to inquire into whether Mountain Water Company’s (“Mountain Water”) current rates for its Missoula, Montana customers are just and reasonable.

2. On January 11, 2016, the Commission received the *Joint Applicants’ Notice of Closing and Withdrawal of Joint Application* in Docket No. D2014.12.99. This *Notice* informed the Commission that on January 8, 2016, the sale and transfer of Western Water stock to Liberty WWH closed, with Liberty WWH merging into Western Water and Western Water continuing as the wholly-owned subsidiary of Liberty Utilities. The Commission never completed its review of the sale and transfer in Docket No. D2014.12.99.

3. On February 3, 2016, the Commission issued a *Notice of Investigation and Intervention Deadline*. On March 1, 2016, the City of Missoula and Clark Fork Coalition were granted limited intervention. On March 2, 2016, the Montana Consumer Counsel was granted intervention. On March 7, 2016, the Commission, through delegation of authority to staff, issued *Procedural Order No. 7475a*. On April 6, 2016, via Notice of Staff Action, the Commission modified *Procedural Order No. 7475a*.

4. In order to promote the efficiency of the administrative process, staff attorney Laura Farkas was appointed examiner for the limited purpose of disposing of discovery disputes and motions for protective order. Order 7475a, ¶ 13 (Mar. 8, 2016). Pursuant to Commission rules, “[w]hen evidence is to be taken in a proceeding before the commission, any commissioner or any examiner designated by the commission, may preside at the hearing.” Mont. Admin. R.

38.2.3601. An examiner has the authority “[t]o receive evidence and rule upon all objections and motions which do not involve final determination of proceedings.” Mont. Admin. R. 38.2.3602. The parties are hereby on notice that staff attorney Laura Farkas is hereby appointed examiner at the hearing commencing on May 3, 2016, for the limited purposes of ruling upon objections, and motions which do not involve final determination of the proceedings.

BY THE MONTANA PUBLIC SERVICE COMMISSION

BRAD JOHNSON, Chairman
TRAVIS KAVULLA, Vice Chairman
KIRK BUSHMAN, Commissioner
ROGER KOOPMAN, Commissioner
BOB LAKE, Commissioner